UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/477,991	01/05/2000	BRYCE A. JONES	1264	1039

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DATE MAILED: 02/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>03 November 2003</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-145* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-145* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All b)☐ Some * c)☐ None of:
        1.☐ Certified copies of the priority documents have been received.
        2.☐ Certified copies of the priority documents have been received in Application No. _____.
        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
        application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application)
since a specific reference was included in the first sentence of the specification or in an Application Data Sheet.
37 CFR 1.78.
    a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific
reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)   4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)   5) ☐ Notice of Informal Patent Application (PTO-152)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .   6) ☐ Other: .

DETAILED ACTION

This Office Action is in response to Request for Reconsideration filed November 3,

2003. Claims 1-145 are presented for further examination.

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 1- are rejected under 35 U.S.C. 102(e) as being anticipated by Goss et al.

(hereinafter "Goss", 6,493,447 B1).

As per claims 1, 14, 27, Goss discloses a method for processing a web call

comprising:

- Receiving a call request message for the web call (column 1, lines 62-64, column 2,

  lines 36-38, column 4, lines 17-19, 23-25, column 6, lines 16-18, column 8, lines 11-

  13, column 12, lines 56-58);

- Identifying a web call center resource in response to receiving the call request

  message (column 2, lines 1-2, 36-38, 52-55, column 3, lines 50-55, column 4, lines

18-21, column 6, lines 36-40, 45-47, 62-65, column 7, lines 1-5, 16-17, 26-27, 56-57,
column 12, lines 57-59, column 13,lines 31-35);

- Generating and transmitting a routing instruction to route the web call to the web call
  center resource (column 2, lines 1-2, 36-38, 52-55, column 4, lines 18-21, column 6,
  lines 36-40, 45-47, 62-65, column 7, lines 1-5, 16-17, 26-27, 56-57, column 12, lines
  57-59, column 13,lines 31-35).

As per claims 2, 15, 28, 49, 69, 89, 108, 123, 138, Goss discloses wherein the call
request message is a Get document request in Hyper Text Transfer Protocol (column 5,
lines 5-10, column 6, lines 12-25, 34-40, column 7, lines 33-39, column 10, lines 60-65,
column 12, lines 31-35, 60-64).

As per claims 3,16, 29, 50, 70, 90, 109, 124, 139, Goss discloses wherein identifying
the web call center resource is based upon information stored in a cookie (column 6,
lines 9-11, column 12, lines 54-59).

As per claims 4, 17, 30, 51, 71, 91,110, 125, 140, Goss discloses wherein identifying
the web call center resource is based upon information stored in a digital certificate
(column 5, lines 65-67, column 6, lines 1-7, 27-33, 56-60, column 12, lines 29-35, 43-
50, 55-59).

As per claims 5, 18, 31, 52, 72, 92, 111, 126, 141, Goss discloses wherein identifying web call center resource is based upon caller-entered information (27-60).

As per claims 6, 19, 32, 53, 73, 93, 112, 127, 142, Goss wherein identifying web call center resource is based upon an Internet Protocol address (column 6, lines 1-11, 45-50, 56-65, column 7, lines 19-25, 32-40).

As per claims 7, 20, 33, 54, 74, 94, 113, 128, 143, Goss wherein identifying web call center resource is based upon a domain name (column 6, lines 1-11, 45-50, 56-65, column 7, lines 19-25, 32-40).

As per claims 8, 21, 34, 55, 75, 95, 114, 129, 144, Goss wherein identifying web call center resource is based upon a time of day (column 7, lines 65-67, column 8, lines 1-3, 11-18, column 9, lines 30-40, column 13, lines 7-14).

As per claims 9, 22, 35, 56, 76, 96, 115, 130, 145, Goss wherein identifying web call center resource is based upon a day (column 7, lines 65-67, column 8, lines 1-3, 11-18, column 9, lines 30-40, column 13, lines 7-14).

As per claims 10, 23, 36, 57, 77, 97, Goss wherein identifying web call center resource is based on the least busy agent (column 5, lines 41-44, column 7, lines 1-3).

As per claims 11, 24, 37, 58,78, 98, Goss wherein identifying web call center resource is based on the least congested route (column 5, lines 41-44, column 7, lines 1-3).

As per claims 12, 25, 38, 59, 79, 99, Goss wherein identifying web call center resource is based on the class of service (column 7, lines 65-67, column 8, lines 1-3, 11-18, column 9, lines 30-40, column 13, lines 7-14).

As per claim 13, 26, 39, 60, 80,100, Goss wherein identifying web call center resource is based on the quality of service (column 7, lines 65-67, column 8, lines 1-3, 11-18, column 9, lines 30-40, column 13, lines 7-14).

As per claims 40, 61, 81, Goss discloses a method of queuing a web call comprising:

- Receiving a call request message for the web call (column 1, lines 62-64, column 2, lines 36-38, column 4, lines 17-19, 23-25, column 6, lines 16-18, column 8, lines 11-13, column 12, lines 56-58);

- Determining whether any web call center resource is available to handle the web call in response to receiving the call request message (column 5, lines 40-45, column 7, lines 1-5);

- Transferring a web call indicator to a web call queue in response to the determination that all web call center resources are unavailable (column 1, lines 19-

22, column 5, lines 1-3, column 7, lines 5-7, column 8, lines 15-18, column 9, lines

14-20, column 10, lines 28-30, column 13, lines 40-57).

As per claims 41, 62, 82, discloses wherein the web call indicator comprises the call

request message (column 1, lines 62-64, column 2, lines 36-38, column 4, lines 17-19,

23-25, column 6, lines 16-18, column 8, lines 11-13, column 12, lines 56-58).

As per claims 42, 63, 83, discloses wherein the web call indicator comprises the web

call (column 1, lines 62-64, column 2, lines 36-38, column 4, lines 17-19, 23-25, column

6, lines 16-18, column 8, lines 11-13, column 12, lines 56-58).

As per claims 43-44, 64, 84, discloses further comprising arranging an order in the

web queue by priority (column 23, lines 6-67, column 24, lines 1-17).

As per claims 45, 65, 85, discloses wherein the priority comprises first in first out

(column 23, lines 6-67, column 24, lines 1-17).

As per claims 46, 66, 86, discloses wherein the priority comprises last in first out

As per claims 47, 67, 87, discloses wherein the priority comprises a priority level

(column 23, lines 6-67, column 24, lines 1-17).

As per claims 48, 68, 88, Goss discloses:

- Identifying a web call center resource in response to the determination that the web call center resources is available (column 2, lines 1-2, 36-38, 52-55, column 4, lines 18-21, column 6, lines 36-40, 45-47, 62-65, column 7, lines 1-5, 16-17, 26-27, 56-57, column 12, lines 57-59, column 13,lines 31-35);

- Generating and transmitting a routing instruction to route the web call from the web queue to the web call center resource (column 2, lines 1-2, 36-38, 52-55, column 4, lines 18-21, column 6, lines 36-40, 45-47, 62-65, column 7, lines 1-5, 16-17, 26-27, 56-57, column 12, lines 57-59, column 13,lines 31-35).

As per claims 101, 116, 131, Goss discloses a method of providing a web service application to a web call comprising:

- Receiving a call request message for the web call (column 1, lines 62-64, column 2, lines 36-38, column 4, lines 17-19, 23-25, column 6, lines 16-18, column 8, lines 11-13, column 12, lines 56-58);

- Identifying the web service application for the web call in response to the call request message (column 4, lines 37-48, column 5, lines 15-18, column 6, lines 14-20, column 7, lines 30-40, column 8, lines 56-63,column 12, lines 32-35, 38-40, 47-65, column 16, lines 13-15, column 22, lines 36-38);

- Generating and transmitting an instruction to provide the web service application to the web call (column 2, lines 1-2, 36-38, 52-55, column 4, lines 18-21, column 6,

lines 36-40, 45-47, 62-65, column 7, lines 1-5, 16-17, 26-27, 56-57, column 12, lines

57-59, column 13,lines 31-35).

As per claims 102, 117, 132, discloses wherein the web service application

comprises providing a message for the web call (column 1, lines 62-64, column 2, lines

36-38, column 4, lines 17-19, 23-25, column 6, lines 16-18, column 8, lines 11-13,

column 12, lines 56-58).

As per claims 103, 118, 133, discloses wherein the web service application

comprises an interactive application (column 4, lines 37-48, column 5, lines 15-18,

column 6, lines 14-20, column 7, lines 30-40, column 8, lines 56-63,column 12, lines 32-

35, 38-40, 47-65, column 16, lines 13-15, column 22, lines 36-38).

As per claims 104, 119, 134, discloses wherein the interactive application comprises

selecting a language preference (column 4, lines 37-48, column 5, lines 15-18, column

6, lines 14-20, column 7, lines 30-40, column 8, lines 56-63,column 12, lines 32-35, 38-

40, 47-65, column 16, lines 13-15, column 22, lines 36-38).

As per claims 105, 120, 135, discloses wherein the interactive application comprises

servicing a customer account (column 4, lines 37-48, column 5, lines 15-18, column 6,

lines 14-20, column 7, lines 30-40, column 8, lines 56-63,column 12, lines 32-35, 38-40,

47-65, column 16, lines 13-15, column 22, lines 36-38).

As per claims 106, 121, 136, discloses wherein the interactive application comprises shopping (column 4, lines 37-48, column 5, lines 15-18, column 6, lines 14-20, column 7, lines 30-40, column 8, lines 56-63,column 12, lines 32-35, 38-40, 47-65, column 16, lines 13-15, column 22, lines 36-38).

As per claims 107, 122, 137, wherein the interactive application comprises providing product or service information (column 4, lines 37-48, column 5, lines 15-18, column 6, lines 14-20, column 7, lines 30-40, column 8, lines 56-63,column 12, lines 32-35, 38-40, 47-65, column 16, lines 13-15, column 22, lines 36-38).

Response to Arguments

The Office notes the following arguments:

(a)   Goss does not disclose receiving a web call and does not disclose an Internet session for exchanging information using call treatment or videoconferencing treatment.

(b)   Goss does not disclose identifying a web call center resource in response to receiving the call request message and generating and transmitting a routing instruction to route the web call to the web call center resource. Goss does not even disclose a web call center including a web call server and a web call center resource/web call center agent.

(c)   Goss does not connect a web call to a web call center resource.

(d)   Goss does not determine whether any web call center resource is available to handle the web call in response to receiving the call request message. Consequently, Goss does not transfer a web call indicator to a web call queue n response to the determination that all web call center resources are unavailable.

(e)   Goss does not identify a web service application for the web call in response to the call request message. Consequently, Goss does not generate and transmit an instruction to provide the web service application to the web call.

3.   Applicant's arguments filed have been fully considered but they are not persuasive.

In response to:

(a)   Goss clearly discloses a customer submitting a request via a companies' website on the Internet (web). An agent then establishes a TCP/IP communications session over the Internet with the customer (column 1, lines 62-64, column 2, lines 5-13, 36-38, 52-55, column 4, lines 17-19, 23-25). Therefore, Goss plainly discloses receiving a web call and an Internet session for exchanging information using call treatment or videoconferencing treatment. It is unclear to Examiner as to why this feature is questioned.

(b)-(c)   Again, Goss undoubtedly discloses agents located at call centers to receive requests from customers. Once the call comes into the call center, it is distributed (routed) to the most qualified agent to assist the customer or either to an

agent that is available to assist the customer. Goss discloses the use of a Contact

Server and CTI Server as well as web call agents (column 2, lines 1-2, 36-38, 52-55,

column 3, lines 50-55, column 4, lines 18-21, column 6, lines 36-40, 45-47, 62-65,

column 7, lines 1-5, 16-17, 26-27, 56-57, column 12, lines 57-59, column 13,lines 31-

35). Therefore, Goss plainly discloses identifying a web call center resource in

response to receiving the call request message and generating and transmitting a

routing instruction to route the web call to the web call center resource and a web call

center including a web call server and a web call center resource/web call center agent.

(d)   Goss certainly discloses if an agent is not available, the Contact Server can be

used to provide callback services. Also, if a qualified agent is unavailable to handle a

call request, the call request is placed in a queue as well as the Contact Server sends a

"not ready" message to the CTI Server so that no calls will be routed to that particular

agent so that it can handle the waiting call (column 1, lines 62-67, column 2, lines 1-8,

14-16, column 5, lines 1-5, column 7, lines 1-10, 16-21). Therefore, Goss

unquestionably discloses determining whether any web call center resource is available

to handle the web call in response to receiving the call request message and

transferring a web call indicator to a web call queue n response to the determination

that all web call center resources are unavailable.

(e)   Again, Goss indeed discloses providing the customer with documents or

applications for which the customer may have questions about through the use of

cookies or other session maintenance methodology. Specifically, applications such as

trouble tickets, Java applets, billing services, shipments, invoices, etc. (column 1, lines

37-43, column 2, lines 61-67, column 4, lines 36-48, column 5, lines 15-18, column 6,

lines 12-17, column 7, lines 33-38, column 8, lines 46-63). Therefore, Goss plainly

discloses identifying a web service application for the web call in response to the call

request message and generating and transmitting an instruction to provide the web

service application to the web call.

Conclusion

4.   The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

U.S. Patent No. 6,496,931

U.S. Patent No. 5,958,014

U.S. Patent No. 6,233,565

U.S. Patent Application Publication US2001/0044822

U.S. Patent Application Publication US2003/0041094

5.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barbara N Burgess whose telephone number is (703) 305-3366. The examiner can normally be reached on M-F (8:00am-4:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Ettinene can be reached on (703) 308-7562. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and (703) 872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

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Barbara N Burgess
Examiner
Art Unit 2157

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January 23, 2004

SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100